

# Federal Defenders OF NEW YORK, INC.

Southern District  
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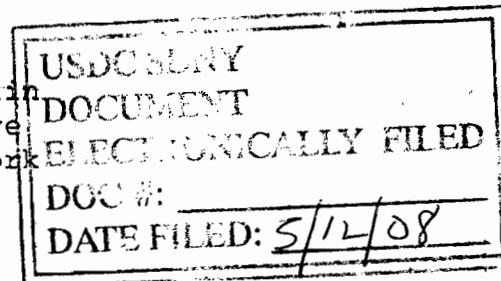
Leonard F. Joy  
Executive Director

Southern District of New York  
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Attorney-in-Charge

May 12, 2008

BY Fax: (212) 805 7920

Honorable Shira A. Scheindlin  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007



Re: United States v. Baron Fajardo  
08 Cr. 126 (SAS)

Hon. Judge Scheindlin:

I write to the Court regarding the indictment against Mr. Fajardo. Ms. Fajardo is at liberty and is presently engaged in plea negotiations with the United States Attorney's Office. On Mr. Fajardo's behalf we are trying to convince the government to decline prosecution on the indictment pending against him. We are in the process of submitting such a request and anticipate submitting it by end of this week. We, therefore, need a three-week adjournment of the May 12<sup>th</sup> status conference. ASUA Everdell consents to this request.

To that end, we request that the time between May 12, 2008 and the next status conference date set by the court, be excluded under the Speedy Trial Act, pursuant to Title 18, United States Code, section 3161(h)(8)(A). Excluding time will best serve the ends of justice and outweigh the best interests of the public and the defendant in a speedy trial, because it will allow the government and defense counsel to continue discussions regarding a possible disposition in the matter. Thank you.

Respectfully submitted,

Sabrina P. Shroff

cc: C. Everdell, AUSA

*Request Granted*  
*Conference adjourned to June 2 at 4:30*  
*Time excluded*  
*Ordered: Shroff 5/12/08*